

**Before the State of South Carolina
Department of Insurance**

In the matter of:

SCDOI File Number 2003-119185

Christine A. Yarborough
106 Dawson Pond Drive
Blythewood, S.C. 29016

**Consent Order
Imposing Probationary Period**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Christine A. Yarborough, a licensed South Carolina insurance producer.

Upon review of this matter, I hereby find as fact, that the above named individual, while licensed to do business as a resident insurance producer within the State of South Carolina for Auto Insurance Agency, did mishandle an auto insurance policy application. Mrs. Yarborough admits this allegation and contends her conduct resulted from inadvertence and oversight and not from any intent to avoid the requirements of the Law. Nevertheless, these actions can ultimately lead to the revocation of her license to transact the business of insurance as a producer in South Carolina, following a public hearing at the Administrative Law Judge Division, pursuant to S.C. Code Ann. Section 38-43-130.

Prior to the initiation of any administrative proceedings by the Department against her, the parties agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal administrative hearing. The consensual recommendation was that Mrs. Yarborough would be placed under one year Probation.

After a thorough review of the record, carefully considering the recommendation of the parties, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Christine Yarborough had violated Section 38-43-130 (Supp. 2002) of the South Carolina Code of Administrative Laws. As a result, I can now take administrative disciplinary action against her producer's license. However, under the discretionary authority provided to me by the General Assembly within S.C. Code Ann. § 38-2-10 (2) (Supp. 2002) and carefully considering the recommendation of the parties, I hereby impose against Mrs. Yarborough a Probationary Period of one year from the date of my signature upon this Consent Order. If Mrs. Yarborough is found to be in violation of any of the State's insurance laws in that probationary period, all of her insurance licensing privileges will be immediately revoked without any further disciplinary proceedings.

This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in consideration of Mrs. Yarborough's assurance that in the future she will fully comply with the Insurance Laws of South Carolina.

The parties expressly agree and understand that the imposition of the agreed-upon penalty constitutes full accord and satisfaction of this matter. By her signature upon this consent order, Mrs. Yarborough acknowledges this administrative order as a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2002).

Nothing contained within this administrative order should be construed to limit, or to deprive any person of any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (4) (Supp. 2002) of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore ordered, that Christine A. Yarborough shall be placed under one year Probationary Period, starting on the date of my signature upon this consent order.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states and a copy be placed in Mrs. Yarborough's file.

This consent order becomes effective as of the date of my signature below.

A handwritten signature in black ink, appearing to read "E.N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar
Director

March 23, 2004
Columbia, South Carolina

I CONSENT:

Christine A. Yarbrough
Signature

CHRISTINE A YARBROUGH
Printed Name

Associate Agent
Title

106 Dawson Pond Drive
Blythewood, South Carolina 29016

Dated this 22 day of March, 2004.